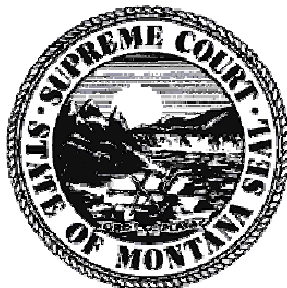


November 10 2009

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA



IN THE SUPREME COURT OF THE STATE OF MONTANA
THE OFFICE OF THE CLERK OF SUPREME COURT
HELENA, MONTANA 59620-3003

November 10, 2009

RE: District Court Case No: DV 08-1552

NOTICE OF FILING

Supreme Court No.
DA 09-0602

JOSEPH T. BERLIN and MARTHA M. BERLIN,

Plaintiffs and Appellees,

v.

MAGNOLIA ENTERPRISES, LLC., COLBERT P. HOWELL, BARBARA
J. HOWELL, NORTHWEST ACCEPTANCE CORP., BARBARA JEAN
HOWELL as TRUSTEE of the REVOCABLE INTERVIVOS VIRGINIA-BELL
NEILSON TRUST, and DENNIS DeVAR NEILSON,

Defendants and Appellants

Notice of Appeal was filed on November 4, 2009 and assigned the above Supreme Court case number.

PLEASE NOTE the time for filing the appellant's opening brief has NOT yet begun. Another notice will be sent when this office receives the district court record, the filing of which initiates the briefing schedule pursuant to the Montana Rules of Appellate Procedure.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ed Smith", is written over a horizontal line.

ED SMITH
Clerk of the Supreme Court